In the High Court of Judicature at Madras

Dated: 18.12.2006

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice S.TAMILVANAN

Writ Appeal No.993 of 2001

Sri Mookambica Die Castings
Pvt.Ltd., ..Appellant

..vs..

1. The Chairman and
   Managing Director,
   State Industries
   Promotion Corporation.

2. The General Manager (Development),
   State Industries
   Promotion Corporation.

3. The Estate Officer-cum-
   Project Officer,
   State Industries
   Promotion Corporation. ..Respondents

Writ Appeal filed under Clause 15 of the Letters Patent, against the Order passed in W.P.No.9492 of 1993 dated 31.10.2000 filed under Article 26 of the constitution of India to issue a writ of certiorarified Mandamus calling for the records in the proceedings of teh respondents in respect of Industrial Plot No F-14 Situate in SIPCOT's Industrial Compled at Gummudipoondi, Pappan Village Gummudipoondi Taluk, Chenglepet District more particularly described in the schedule to W.P. Culminating in the letter of Cancellation No AD5/GMP/ IC/205/85 dated 22/01/1993 issued by ; the Ist respodnent and quash the said proceedings.

For Appellant : Mr.P.J.George

For Respondents : Mr.P.S.Seetharamn for R1
No appearance for R2 and R3

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JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.,)

The above Writ Appeal is directed against the Order of the learned single Judge dated 31.10.2000 made in W.P.No.9492 of 1993, in and by which, the learned Judge dismissed the writ petition.

2. Heard the learned counsel appearing for appellant as well as first respondent.

3. At the outset, Mr.P.J.George, learned counsel appearing for the appellant pointed out that the learned Judge has not adverted to the factual details applicable to the appellant/petitioner and the relief sought for. In other words, according to him, the minimum facts referred by the learned Judge are not applicable to the case on hand. Learned counsel appearing for the respondents also fairly admitted the same.

4. In such circumstances, instead of expressing anything on merits of the case of the appellant/petitioner as well as the respondents, we intend to remit the matter to the learned Judge, for fresh disposal, on merits and in accordance with law. On this ground, the order dated 31.10.2000 in W.P.No.9492 of 1993 is set aside and both parties are permitted to putforth their respective stand before the learned Judge.

5. Writ Appeal is allowed to the extent mentioned above. No costs. Inasmuch as the writ petition is of the year 1993, Registry is directed to include the writ petition for final hearing on 03.01.2007.

gl

Sd/
Asst. Registrar

/true copy/

Sub Asst.Registrar

To

1. The Chairman and
   Managing Director,
   State Industries
   Promotion Corporation.

2. The General Manager (Development),
   State Industries
   Promotion Corporation.

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3. The Estate Officer-cum-
   Project Officer,
   State Industries
   Promotion Corporation.

4. The Seciton Officer,
Writ Section, High Court, Madras
(for posting of WP on 03.01.2007)

TEJ (co)
sg 22/12/06

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